

Remarks

The above Amendments and these Remarks are in reply to the Office Action mailed April 10, 2007.

I. Summary of Examiner's Rejections

Prior to the Office Action mailed April 10, 2007, Claims 57-58, 63-64, 72-73, 81-82 and 90-95 were pending in the Application. In the Office Action, Claims 57, 63, 72 and 81 were rejected under 35 U.S.C. 103(a) as being unpatentable over Brownlie et al. (U.S. Patent No. 6,202,157, hereinafter Brownlie) in view of Rogers et al. (U.S. Patent No. 5,557,747, hereinafter Rogers) in view of Guedalia et al. (U.S. Patent No. 6,148,333, hereinafter Guedalia) and further in view of Archibald et al. (U.S. Patent No. 5,825,883, hereinafter Archibald). Claims 58, 64, 73 and 82 were rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Brownlie, Rogers, Guedalia and Archibald system, and further in view of Luckenbaugh (U.S. Patent No. 5,991,887, hereinafter Luckenbaugh). Claims 91, 93 and 95 were rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Brownlie, Rogers, Guedalia, Archibald and Luckenbaugh system as applied to claims 90, 92, and 94 above, and further in view of Balassanian (U.S. Patent No. 6,324,685, hereinafter Balassanian). Claims 57, 58, 63, 64, 72, 73, and 81 and 82 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1, 6, 11, 16 and 21 of co-pending Application No. 11/171,104, in view of Guedalia. Claims 90, 92 and 94 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1, 11, and 21 of copending Application No. 11/171,104 in view of Guedalia, and Archibald as applied above and further in view of Luckenbaugh. Claims 91, 93, and 95 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 90, 92, and 94 of copending Application No. 11/171,104 in view of Guedalia, Archibald, and Luckenbaugh as applied above and further in view of Balassanian.

II. Summary of Applicant's Amendment

The present Response amends Claims 57, 63, 72 and 81, leaving for the Examiner's present consideration Claims 57, 58, 63, 64, 72, 73, 81, 82 and 90-95. Reconsideration of the Application, as amended, is respectfully requested. Applicant respectfully reserves the right to prosecute any originally presented or canceled claims in a continuing or future application.

III. Claim Rejections under 35 U.S.C. § 103(a)

In the Office Action mailed April 10, 2007, Claims 57, 63, 72 and 81 were rejected under 35 U.S.C. 103(a) as being unpatentable over Brownlie et al. (U.S. Patent No. 6,202,157, hereinafter

Brownlie) in view of Rogers et al. (U.S. Patent No. 5,557,747, hereinafter Rogers) in view of Guedalia et al. (U.S. Patent No. 6,148,333, hereinafter Guedalia) and further in view of Archibald et al. (U.S. Patent No. 5,825,883, hereinafter Archibald). Claims 58, 64, 73 and 82 were rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Brownlie, Rogers, Guedalia and Archibald system, and further in view of Luckenbaugh (U.S. Patent No. 5,991,887, hereinafter Luckenbaugh). Claims 91, 93 and 95 were rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Brownlie, Rogers, Guedalia, Archibald and Luckenbaugh system as applied to claims 90, 92, and 94 above, and further in view of Balassanian (U.S. Patent No. 6,324,685, hereinafter Balassanian).

Claim 57

Claim 57 has been amended to more clearly define the embodiment therein. As amended, Claim 57 defines:

57. *A system for maintaining security in a distributed computing environment, comprising:*
a policy manager located on a server for:
creating a local security policy derived from a global security policy, said global security policy including a plurality of rules applicable to all application guards in the system, wherein creating the local security policy includes selecting a subset of the plurality of rules of the global security policy, said subset being applicable to a specific application guard at a client; and for
distributing the local security policy to said client wherein the local security policy includes the subset of rules customized to the client, said subset of rules including a set of grant rules that allow access to securable components and a set of deny rules that prevent access to said securable components; and
an application guard located at the client for managing access by individual transactions to securable components at a client level as specified by the local security policy, the securable components including at least one application, wherein said application guard is integrated into said application and controls access to the application with which it is integrated;
wherein the application guard receives an authorization request including a subject, an object and a privilege and evaluates said request by matching the subset of rules received from the policy manager to said subject, said object and said privilege in order to control access to said application integrated with the application guard.

As amended, Claim 57 defines a method for controlling security to applications via distributed security policies. A local security policy is created by selecting a subset of rules from the global security policy, which are applicable to a specific application guard. That local security policy is then distributed

to the application guard. The application guard is integrated into the application and controls access to the application with which it is integrated, based on the received policy. Thus, the application guard receives authorization requests and matches the subset of rules received from the policy manager to a subject, object and privilege in order to guard access to the application.

An advantage of these features is that a specific local policy can be derived for each application guard on the network. Thus, specific applications can each have customized local security rules, while at the same time a global security policy is also enabled for centralized control, analysis and the like. This can be especially advantageous in distributed enterprise environments, with many different applications and client computers and complex and dynamic security.

Claim 57 has been rejected as being obvious over Brownlie, Guedalia, Rogers and Archibald (hereinafter the cited references). However, Applicant respectfully submits that the cited references fail to disclose nor render obvious the features of Claim 57, as amended.

Upon closer inspection it will become apparent that none of the cited references disclose any local security policy or global security policy, where the local security policy is created by selecting a subset of rules from the global security policy. In the Office Action it was admitted that Brownlie fails to disclose this feature. Instead, Rogers was cited as teaching global and local policies in column 8, lines 25-38 (office action, page 3). Applicant respectfully disagrees. The cited portions of Rogers merely appear to disclose a global table and a local table (e.g. “global Environment Table”) for checking that variables are used consistently. This merely appears to check the local scope and global scope variables to make sure that they don’t conflict. Rogers fails to even mention any security policies and only a “network policy” is disclosed, one that deals with monitoring the state of the network. Network policies are not the same as global and local security policies. Even more so, Rogers completely fails to disclose that a local security policy is created by selecting a subset of security rules from the global policy, which are applicable to a specific application guard, as defined in amended Claim 57.

Additionally, the cited references also fail to disclose the application guard defined in amended Claim 57. In the Office Action, Archibald was cited as disclosing an application guard being integrated into an application (Office Action, page 3). Applicant respectfully disagrees. As amended, Claim 57 defines an application guard that is integrated into an application and controls (guards) access to that specific application based on a local security policy. No such functionality is described in any of the cited references. At most, Archibald teaches a tariff file embedded in an application (Abstract). This tariff file is mere data about the application, such as a digital application identification code (col. 17, lines 45-64). However, the application guard of claim 57 is not mere identification data, rather it is an entity responsible for allowing/denying access to the application with which it is integrated based on a local security policy.

Archibald also mentions that “a logic diagram indicates steps which are embedded in an application” (col. 17, lines 45-47). However, the general concept of embedding data or functionality is well known in the art and is quite different from the application guard defined in amended Claim 57. As such, Archibald fails to disclose any application guard that guards access to the application with which it is integrated based on a received local policy, as defined in amended Claim 57.

Furthermore, in the Office Action, from four to as many as six references, each dealing with a different area of technology, were combined in order to reject the claims of the present Application. For example, Archibald does not appear to be concerned with security and instead appears to deal with monitoring applications and generating accounting information (Archibald, Abstract). Similarly, Rogers completely fails to even mention computer security and is instead concerned with network policies for monitoring the network. As such, it would not have been obvious to combine these references with Brownlie, Guedalia and/or each other, and doing so would have to be drawn from impermissible hindsight, i.e. hindsight reconstruction of the claimed system. In addition, even if these references were combined, they would still fail to disclose all of the features of Claim 57, as discussed in the remarks above. Applicant respectfully requests that Examiner reconsider the claim rejections.

Claims 63, 72 and 81

Claims 63, 72 and 81, while independently patentable, recite limitations that, similarly to those described above with respect to claim 57, are not taught, suggested nor otherwise rendered obvious by the cited references. Reconsideration thereof is respectfully requested.

Claims 58, 64, 73, 82 and 90-95

Claims 58, 64, 73, 82 and 90-95 are not addressed separately, but it is respectfully submitted that these claims are allowable as depending from an allowable independent claim, and further in view of the comments provided above. Applicant respectfully submits that Claims 58, 64, 73, 82 and 90-95 are similarly neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

It is also submitted that these claims also add their own limitations which render them patentable in their own right. Applicant respectfully reserves the right to argue these limitations should it become necessary in the future.

IV. Provisional Double Patenting Rejections

Claims 57, 58, 63, 64, 72, 73, and 81 and 82 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1, 6, 11, 16 and 21 of

co-pending Application No. 11/171,104, in view of Guedalia. Claims 90, 92 and 94 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1, 11, and 21 of copending Application No. 11/171,104 in view of Guedalia, and Archibald as applied above and further in view of Luckenbaugh. Claims 91, 93, and 95 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 90, 92, and 94 of copending Application No. 11/171,104 in view of Guedalia, Archibald, and Luckenbaugh as applied above and further in view of Balassanian.

The present Response hereby includes a timely filed terminal disclaimer in compliance with C.F.R. 1.321 to overcome the provisional rejection based on nonstatutory double patenting ground. The present Application is commonly owned with the co-pending Application No. 11/171,104 and accordingly, Applicant respectfully submits that the terminal disclaimer renders moot the nonstatutory double patenting rejections. Reconsideration thereof is respectfully requested.

V. Conclusion

In view of the above amendments and remarks, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and reconsideration thereof is respectfully requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: September 10, 2007

By: /Justas Geringson/
Justas Geringson
Reg. No. 57,033

Customer No.: 23910
FLIESLER MEYER LLP
650 California Street, 14th Floor
San Francisco, California 94108
Telephone: (415) 362-3800
Fax: (415) 362-2928